

#11/B  
Tuta  
6/13/03

RECEIVED  
JUN 05 2003

TECH CENTER 1600/2900

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David A. Wright et al.  
Serial No. : 09/965,553  
Filed : September 27, 2001  
Title : PLANT RETROELEMENTS AND METHODS RELATED THERETO

Art Unit : 1638  
Examiner : Ashwin Mehta

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

BEST AVAILABLE COPY

PRELIMINARY AMENDMENT

Please amend the application as indicated on the following pages. Applicants ask that the claims be allowed in view of the amendment to the claims and remarks contained on the following sheets, a total of 5 pages.

Enclosed is a \$55 check for a Petition for One-Month Extension of Time fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

May 27, 2003

M. Angela Parsons

M. Angela Parsons, Ph.D.  
Reg. No. 44,282

Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696  
60142151.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

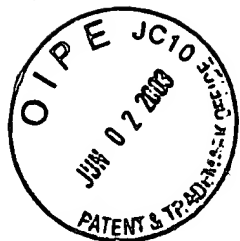
May 27, 2003

Date of Deposit

Jill Huso  
Signature

Jill Huso

Typed or Printed Name of Person Signing Certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David A. Wright et al.      Art Unit : 1638  
Serial No. : 09/965,553      Examiner : Ashwin Mehta  
Filed : September 27, 2001  
Title : PLANT RETROELEMENTS AND METHODS RELATED THERETO

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**BEST AVAILABLE COPY**

1638  
RECEIVED  
JUN 05 2003  
TECH CENTER 1600/2900

TRANSMITTAL LETTER

The following documents relating to this application are enclosed.

1. Response to Restriction Requirement (1 page);
2. Preliminary Amendment (5 pages);
3. Petition for One-Month Extension of Time (1 page);
4. Check in the amount of \$55 for Petition for Extension of Time; and
5. Postcard.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

May 27, 2003

M. Angela Parsons

M. Angela Parsons, Ph.D.  
Reg. No. 44,282

Fish & Richardson P.C., P.A.  
60 South Sixth Street  
Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696

60143085.doc

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

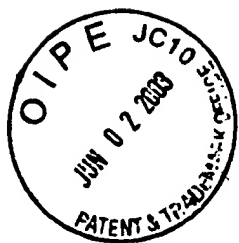
May 27, 2003

Date of Deposit

Jill Huso  
Signature

Jill Huso

Typed or Printed Name of Person Signing Certificate



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David A. Wright et al.                      Art Unit : 1638  
Serial No. : 09/965,553                                      Examiner : Ashwin Mehta  
Filed : September 27, 2001  
Title : PLANT RETROELEMENTS AND METHODS RELATED THERETO

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**BEST AVAILABLE COPY**

RECEIVED  
JUN 05 2003  
TECH CENTER 1600/2900

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the Restriction Requirement mailed March 25, 2003, Applicants elect the invention of Group IV, claims 49-56, 60, 69-72, 77, 78, and 108. Applicants note that claim 108 was incorrectly assigned new claim number 109 in the Restriction Requirement. This requirement for restriction is respectfully traversed.

Applicants submit that the claims are directed toward the nucleic acids encoding the components of a retroelement. Therefore, a search of one of the nucleic acids would result in a search of one or more of the other claimed nucleic acids. Applicants submit that it would not be an undue burden on the Examiner to search the claimed nucleic acids. Applicants respectfully request that the requirement for restriction be withdrawn.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: May 27, 2003

M. Angela Parsons

M. Angela Parsons  
Reg. No. 44,282

Fish & Richardson P.C., P.A.  
60 South Sixth Street, Suite 3300  
Minneapolis, MN 55402  
Telephone: (612) 335-5070  
Facsimile: (612) 288-9696  
60142136.doc

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 27, 2003  
Date of Deposit

Jill Huso  
Signature

Jill Huso  
Typed or Printed Name of Person Signing Certificate